

MINUTES for PRE-PROPOSAL CONFERENCE

DATE : 03/04/2010, 13:15 PM
SUBJ. : Minutes from Pre-Proposal Conference of Project Management Consultancy
PARTICIPANTS : Representatives from Project Cos.
Jackie Adams IPO
Sarah H. Borenstein AGSO
Murat Atanur Tel. Supervisor
Meral Yalhi Acquisitions Supervisor

The above-listed attendees met to discuss the solicitation package. The following were discussed:

- 1- Sarah Borenstein welcomed all attendees and introduced IPO and GSO officers. She explained the purpose of the meeting in that it will provide an opportunity for all firms to understand U.S. Government solicitation procedures, rules and the Statement of Work (SOW).
- 2- S. Borenstein explained that the overall goal of this contract is to increase coverage of other U.S. Government organizations; however these organizations will not commit until they know what their savings will be, thus we need the cost for several alternatives – per minute costs and monthly rates for various numbers of subscribers.
- 3- M. Yalhi highlighted some sections of the solicitation such as Section B-Prices, Section L- Instructions to Offerors and Section M- Evaluation Factors; and she explained how to fill-in SF 1449 form, prices and how to submit the proposal submittals.
- 4- M. Yalhi also explained the all inquiries related to the solicitation and any amendments shall be made in writing.
- 5- M. Yalhi informed the company representatives that Embassy will be exempted from ÖTV tax for the phone services. It is advised by S.H. Borenstein that company representatives will be informed on the exemption status of other taxes like TGM license, usage, setup taxes in writing when a reply is received from the Ministry of Foreign Affairs.
- 6- A/GSO Sarah H. Borenstein stated that this is an open-competition bid and U.S. Government would like the most competition as possible.
- 7- The following documents were distributed to the attendees by email in advance to the meeting:
 - a. SF 1449 for Project Management Consultancy
 - b. Solicitation document no. 10-Q-0372
- 8- M. Atanur briefed the attendees on the technical requirements of the solicitation such as coverage, connectivity and service continuity under crises situations. Company representatives are asked to provide the roaming service contracts' lists, if there is any.

The Pre-Proposal Conference concluded and attendees were thanked for their presence and expression of interest in serving the U.S. Government. The meeting was adjourned.

LIST of QUESTIONS NO. 1

Replies to the questions posed by the company representatives are as follows:

- 1- A company representative has stated that Turkey's market for mobile communication changes often and it is directly under the control of Ministry of Transportation (MoT). So, MoT can make mandatory changes to affect prices, which may affect the awarded company's offered prices. If the prices go up or down, would it be possible to reflect those changes to the contract? - *There is a price adjustment clause in the solicitation document; and if the documented change is submitted to the Embassy, then related price adjustments can be done.*
- 2- The company representative mentioned that they are asked to offer for five years' prices and it is not very possible to project the prices after 1 or 2 years under such dynamic market conditions. Also by offering 5 years projected prices, the company feels that they are under risk if they do not fulfill their contractual requirements. In such a case, is there a penalty clause and does the awarded company have the right to terminate the contract when company believes that she will fail to fulfill the contractual requirements? - *Unfortunately, unless the Government terminates for convenience or chooses not to exercise an option year, if the contractor proposes prices for an option period if the option has been exercised but is unable to perform at those rates as stipulated unless there has been an approved price adjustment, the contractor is subject to be terminated for cause (SEE FAR 52.212-4). If the company feels that it is taking on too much of a risk, then they should consider not to provide a proposal in response to the solicitation. If the Government learns that the business community as a whole doesn't want to commit to five years, we can amend our requirement accordingly.*
- 3- A company representative mentioned that on page 31; item 13 of this solicitation awarded company is asked to provide cellular phones. This requirement is not applicable to phone service providers because their work license does not permit to sell equipments. However they can provide equipment thru another supplier of cellular phones, but they cannot ensure Embassy on the guarantee, maintenance issues, replacement issues, etc. They asked to remove this clause from the solicitation document. Also, the renting of cell phones is not applicable to the companies, which was mentioned in page 26; item 12 of the solicitation document. - *Clauses pertaining to renting of phones will be deleted and an amendment as such will be prepared.*
- 4- Company representatives requested to extend the bidding period from 04/08/2010 to a later date, excusing themselves to have the solicitation document studied by their legal departments in details. - *S.H. Borenstein and Jackie Adams advised the attendees verbally that the due date would be 10:00 AM on 04/13/2010, which will be sent to companies in writing.*